

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

January 29, 2009

DIVISION TWO

B204808 People (Not for Publication)
v.
Terrones

The judgment is affirmed.

Chavez, J.

We concur: Boren, P.J.
Ashmann-Gerst, J.

B199435 Bressler (Not for Publication)
v.
City of Los Angeles

The judgment is affirmed. Appellant is to bear the costs of appeal.

Chavez, J.

We concur: Doi Todd, Acting P.J.
Ashmann-Gerst, J.

B202298 Plotnik (Not for Publication)
v.
Plotnik

The order is affirmed. Respondent is awarded his costs of appeal.

Chavez, J.

We concur: Doi Todd, Acting P.J.
Ashmann-Gerst, J.

DIVISION TWO (continued)

B206521 Wong (Not for Publication)
v.
Lee & Associates Commercial Real Estate Services, Inc.

The judgment and order are affirmed. Respondent is awarded its costs of appeal.

Chavez, J.

We concur: Boren, P.J.
 Doi Todd, J.

DIVISION THREE

B197706 Tan, et al. (Certified for Partial Publication)
v.
Arnel Management Company, et al.

The judgment is reversed. Defendants to bear the burden of costs on appeal.

Aldrich, J.

We concur: Croskey, Acting P.J.
 Kitching, J.

B195050 Gordon (Certified for Partial Publication)
v.
Nissan Motor Co., Ltd.

The judgment is reversed. We remand the case to the superior court with directions to conduct a new trial in accordance with this opinion. Plaintiff Gordon is awarded costs on appeal.

Kitching, J.

We concur: Croskey, Acting P.J.
 Aldrich, J.

January 29, 2009 (Continued)

DIVISION THREE (continued)

B196126 Duffy (Not for Publication)
v.
Technicolor Entertainment Services, Inc.

The judgment is affirmed. Costs on appeal are awarded to plaintiff Eugene Duffy.

Kitching, J.

We concur: Croskey, Acting P.J.
 Aldrich, J.

DIVISION FOUR

B206475 People (Not for Publication)
v.
Burban

The order is affirmed.

Manella, J.

We concur: Epstein, P.J.
Suzukawa, J.

B203609 People (Certified for Partial Publication)
v.
Rodriguez

The judgment of conviction is affirmed.

Epstein, P.J.

We concur: Manella, J.
Suzukawa, J.

DIVISION FOUR (continued)

B207302 Los Angeles County, D.C.F.S. (Not for Publication)
v.
M.R.

The order denying the section 388 petition is affirmed.

Willhite, J.

We concur: Epstein, P.J.
Suzukawa, J.

B204517 People (Not for Publication)
v.
Ramirez

The judgment is affirmed.

Willhite, J.

We concur: Epstein, P.J.
Suzukawa, J.

B205310 People (Not for Publication)
v.
Lorenzo

The judgment of conviction is affirmed. The case is remanded for resentencing. On remand, if the court decides to sentence under section 667.6, subdivision (d), on any of counts 2, 3, 5, 6 and 7, it must give a factual explanation for its finding of a separate occasion for each count sentenced under that subdivision. If the court decides to impose discretionary fully consecutive terms on any of those counts under section 667.6, subdivision (c), the court must provide a statement of reasons for this sentencing choice.

Willhite, J.

We concur: Epstein, P.J.
Suzukawa, J.

January 29, 2009 (Continued)

DIVISION FOUR (continued)

B204823 People (Not for Publication)
v.
Torres

The judgment is affirmed.

Willhite, J.

We concur: Epstein, P.J.
Manella, J.

B202577 Ng (Not for Publication)
v.
Diaz et al.

The judgment is affirmed.

Suzukawa, J.

We concur: Epstein, P.J.
Willhite, J.

B2 05632 City of Monterey Park (Not for Publication)
v.
Rodriguez

The judgment is affirmed. Respondent(s) to recover costs.

Suzukawa, J.

We concur: Epstein, P.J.
Manella, J.

DIVISION FIVE

B204511 People (Not for Publication)
v.
Frank Fidel Beltran

The abstract of judgment is ordered modified to delete reference to the unspecified five-year enhancement. The judgment as modified is affirmed. The trial court is directed to forward a certified copy of the abstract to the Department of Corrections and Rehabilitation.

Kriegler, J.

We concur: Armstrong, Acting P.J.
 Mosk, J.

B207537 Los Angeles County, D.C.F.S. (Not for Publication)
v.
J.A.
C.A.

The judgment is affirmed.

Kriegler, J.

I concur: Mosk, J.
I dissent: Armstrong, Acting P.J. (Opinion)

B205358 People (Not for Publication)
v.
John Krasnow

The judgment is affirmed.

Armstrong, Acting P.J.

We concur: Mosk, J.
Kriegler, J.

DIVISION FIVE (continued)

B197234 Chinese Yellow Pages
v.
Chinese Overseas Marketing

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment) Armstrong, J. would grant rehearing.

DIVISION SIX

B203487 People (Not for Publication)
v.
Alcaraz

The judgment is affirmed.

Perren, J.

We concur: Gilbert, P.J.
Yegan, J.

B193557 People (Not for Publication)
v.
Hall

The sentence is modified to reflect a total term of 20 months on count 3, consisting of 16 months (one-third the midterm) plus 4 months for the section 1202.2, subdivision (a)(1) enhancement. On count 4, the one-year enhancement imposed pursuant to section 1202.2, subdivision (a)(1) is stricken. As modified, the judgment shall reflect a total term of 11 years, 8 months. The trial court shall forward a corrected abstract of judgment showing the amended sentence to the Department of Corrections and Rehabilitation. In all other respects, the judgment is affirmed.

Perren, J.

We concur: Gilbert, P.J.
Yegan, J.

January 29, 2009 (Continued)

DIVISION SIX (continued)

B206200 People (Not for Publication)
v.
Reyna

The judgment (order denying motions to vacate) is affirmed.

Coffee, J.

We concur: Gilbert, P.J.
 Yegan, J.

B207540 People (Not for Publication)
v.
Blandon

The judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.
Yegan, J.

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The judgment is affirmed.

Perren, J.

We concur: Yegan, Acting P.J.
Coffee, J.

DIVISION SIX (continued)

B202851 Santa Barbara Co. Child Welfare Services (Not for Publication)
v.
E.G., et al.,

The orders are affirmed.

Perren, J.

We concur: Yegan, Acting P.J.
Coffee, J.

B206383 People (Not for Publication)
v.
Holm

The judgment is affirmed.

Yegan, Acting P.J.

We concur: Coffee, J.
Perren, J.

B201268 People
v.
Marin

Filed order denying petition for rehearing.

DIVISION SEVEN

B202597 People
v.
Coleman

Filed order modifying opinion. (No change in the judgment)

DIVISION SEVEN (continued)

B200985 Armstrong
v.
Bergin

Filed order denying petition for rehearing.

DIVISION EIGHT

B201366 People (Not for Publication)
v.
Kevin Smith

Smith's sentence is vacated and the cause is remanded to the trial court with directions to the People to set forth with specificity the appropriate fees, surcharges, and penalty assessments to be imposed against Smith. The trial court is directed to prepare and amended abstract of judgment and forward it to the Department of Corrections and Rehabilitation. In all other respects, the judgment is affirmed.

Bigelow, J.

We concur: Rubin, Acting P.J.
O'Neill, J. (Assigned)

B199242 People (Not for Publication)
v.
Juan Ignacio Iniguez et al.,

The judgments are affirmed. The judgments insofar as they relate to sentencing are ordered vacated and the matters are remanded for resentencing in accordance with the views expressed herein.

Flier, J.

I concur: Rubin, Acting P.J.
I concur and dissent: Bigelow, J. (Opinion)

January 29, 2009 (Continued)

DIVISION EIGHT (continued)

B205499 People (Not for Publication)
v.
Gregory Todd Pinkett et al.,

For the reasons set forth above, the judgments against appellants are affirmed.

Rubin, Acting P.J.

We concur: Flier, J.
O'Neill, J. (Assigned)